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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

PETER DELVECCHIA, <i>et al.</i> ,)	Case No: 2:19-CV-01322-KJD-DJA
)	
Plaintiffs,)	
)	
vs.)	PLAINTIFFS' UNOPPOSED
)	SECOND MOTION FOR
)	RELIEF FROM PAGE LIMIT
FRONTIER AIRLINES, INC., <i>et al.</i> ,)	
Defendants.)	
)	

Plaintiffs, Peter DelVecchia (“Peter”) individually and as next friend of A. D., a minor, by counsel, pursuant to Local Rule 7-3(c) and the Court’s discretionary authority, hereby respectfully file this Motion for Relief From Page Limit to permit them to include the full text of 51 discovery requests and the full text of Defendant Frontier Airlines, Inc.’s objections to them, along with appropriate arguments, in a Motion to Compel that has not yet been filed. Counsel for Defendants have indicated that they do not oppose the granting of this Motion.

1 As explained in the Declaration of John McKay filed in support of this motion, Plaintiffs
2 served 16 requests for admissions and 34 requests for production on Defendant Frontier on February
3 22, 2022. They also served one interrogatory on Defendant Frontier the following day, for a total of
4 51 requests. On March 24, 2022, Frontier served objections to all 51 requests. Setting forth the full
5 text of each request and each objection, together with the text of certain definitions necessary to an
6 understanding of the scope of the requests, will cover a full 23 pages of pleading paper, even when
7 the text is set forth in single-spaced long quotation format. *See Decl. at ¶¶ 4-5, 7.*

9 Local Rule 26-6(b) requires a motion to compel to set forth the full text of each disputed
10 discovery request and any response to it. Decisions of this Court indicate that compliance with the
11 requirement means setting forth the full text in the body of the motion, and that attaching the requests
12 and responses as an exhibit is “technically incorrect under the rule,” *Ciolino v. Dzurenda*, Case No.
13 2:19-cv-00520-MMD-CLB (D. Nev. Nov. 17, 2021), slip op. at 4; *see also, Lee v. Dennison*, Case
14 No. 2:19-cv-1332-KJD-DJA (D. Nev. Aug. 18, 2020), slip op. at 5 (“This is not just a mere
15 suggestion for Plaintiff to ignore.”) In order for Plaintiffs to comply with LR 26-6(b) and include the
16 type of detailed arguments that the Court expects, Plaintiffs will need a minimum of an additional 26
17 pages beyond the pages that will be filled up by the requests and responses. That estimate is based on
18 a half-page of argument and citations per request. *See Decl. at ¶ 8.*

21 The Court has the authority to grant the relief requested. District courts “have broad discretion
22 in interpreting and applying their local rules.” *Miranda v. Southern Pac. Transp.*, 710 F.2d 516, 521
23 (9th Cir. 1983). The Ninth Circuit has noted, “Only in rare cases will we question the exercise of
24 discretion in connection with the application of local rules.” *U.S. v. Warren*, 601 F.2d 471, 474 (9th
25 Cir. 1979). The Ninth Circuit has explained that the power is “governed not by rule or statute but by
26 the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and
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1 expeditious disposition of cases.'" *Unigard Sec. Ins. Co. v. Lakewood Engineering & Mfg. Corp.*, 982
2 F.2d 363, 368 (9th Cir. 1992)(quoting *Chambers v. NASCO, Inc.*, 501 U.S. 32, 43, 111 S.Ct. 2123,
3 2132, 115 L.Ed.2d 27 (1991)).

4 The requested order would serve the ends of justice because Plaintiffs need to set forth the full
5 text of all 51 requests and the objections to them to be in compliance with the Local Rules, and they
6 also need 26 additional pages to make well-developed arguments as to each of the 51 requests in
7 support of their Motion to Compel.
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10 CONCLUSION

11 For all of the reasons set forth above, Plaintiffs respectfully submit that good cause exists for
12 an Order granting them leave to file a 50-page Motion to Compel.
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15 DATED this 15th day of April, 2022.

16 /s/ John D. McKay
17 *Attorney for Plaintiffs Peter DelVecchia*
18 *And A.D., a Minor*
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